

REMARKSSummary of the Office Action

Claims 1-25 and 27 are pending in the application.

A restriction requirement has been imposed between the invention of claims 1-14 (Group I), drawn to a stent for neutron capture therapy, claims 15-19 (Group II), drawn to a method for manufacture a stent for neutron capture therapy, and claims 20-25 and 27 (Group III), drawn to a method of performing neutron capture therapy.

Applicant's Response

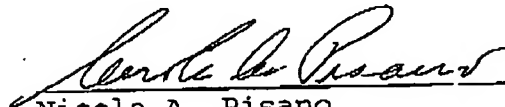
Applicant elects group I for initial examination (Claims 1-14) with traverse.

Applicant submits that the imposition of a restriction requirement between Groups I, II and III at this point in the examination is unwarranted. All three pending claim sets were examined in the Office action dated March 19, 2004. Essentially identical amendments were made to independent claims 1, 15 and 20 in the Reply filed June 21, 2004. Those amendments did not expand the scope of the prior art search necessary to examine this application or otherwise unduly burden the Examiner. On the other hand, the restriction requirement, if maintained, will only unnecessarily multiple the costs of prosecution and deny applicant's assignee the benefit of the patent protection to which it is entitled for a further unspecified period.

Applicant respectfully submits the burden to the Examiner to examine all of the pending claims is not great and does not require further search. Applicant therefore requests that the restriction requirement be withdrawn.

An early and favorable action is earnestly
requested.

Respectfully submitted,



Nicola A. Pisano
Reg. No. 34,408
Attorney for Applicant

LUCE, FORWARD,
HAMILTON & SCRIPPS, LLP
11988 El Camino Real, Ste 200
San Diego, California 92130
Tel.: (858) 720-6320
Fax : (858) 523-4326

2015201.1